

The Senate Education and Youth Committee offered the following substitute to SB 149:

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for adoption of policies and procedures by local boards of education regarding school sponsored clubs; to provide for a short title; to provide for definitions; to provide for annual notification by local school systems to parents and legal guardians; to require annual written parental or guardian permission for membership or participation in a school sponsored club; to provide that no new school sponsored club may be established or operated unless the notification requirements have been met; to provide for the withholding of state funds by the State Board of Education; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Parental Equal Access to Information Act."

SECTION 2.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended in Article 16, relating to students, by inserting a new part to be designated Part 5 to read as follows:

"Part 5

20-2-785.

(a) As used in this Code section, the term:

(1) 'Competitive interscholastic activity' means functions held under the auspices or sponsorship of a school or local school system that involves its students in competition between individuals or groups representing two or more schools. This term shall not include band or chorus.

(2) 'School sponsored clubs' means those organizations, both curriculum related and noncurriculum related, created by the school or by the local school system and under the sponsorship, direction, and control of the school or local school system in which students may elect to participate during noninstructional periods of the school day or school year. Such term shall also include organizations which are given permission by the school or local school system to use school facilities, materials, equipment, or property, including school buses, but which do not have a faculty sponsor or leader. This term shall not include competitive interscholastic activities.

(b) Prior to the 2006-2007 school year, local boards of education shall adopt policies concerning the approval and operation of school sponsored clubs. Prior to the adoption of such policies, local boards of education must allow timely and complete public review of such policies. Such policies shall:

(1) Be posted in a prominent place on each local school system's website. If an individual school within the local school system maintains a website, such policies must be posted in a prominent place on the school website;

(2) Require that all school sponsored clubs be clearly designated as under the sponsorship of the school or local school system or under the sponsorship of another entity which has permission to use school facilities; and

(3) Provide that prior to a student participating in the school sponsored club the student's parents or guardians must be notified of the name of the club; the mission or purposes of the club; the faculty or other adult sponsor or facilitator of the club; the club's planned activities, events, or educational content; whether the club is affiliated with any regional, state, or national organization; and any financial requirements, such as dues, for a student to join or become a member of a school sponsored club.

An annual notification utilizing the student handbook or other appropriate method shall satisfy the provisions of this subsection.

(c) The annual notification referenced in subsection (b) of this Code section shall require parents or guardians to provide written permission for a student to join or participate in any particular school sponsored club and any activities of that club. Schools shall not allow students whose parents or guardians have not provided written permission to join or participate in that school sponsored club or any activity of that club.

(d) No new school sponsored club may be established or operated unless the notification required in subsections (b) and (c) of this Code section has been provided.

(e) The State Board of Education shall have the authority to withhold funds, pursuant to Code Section 20-2-243, to school systems which allow a student to participate in a school

1 sponsored club when such student's parents or guardians have not provided written
2 permission."

3 **SECTION 3.**

4 All laws and parts of laws in conflict with this Act are repealed.